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| 10/762,934      | 01/21/2004  | Ben Wei Chen         | 3035P (SUP-036)     | 5756             |

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BEVER HOFFMAN & HARMS, LLP  
TRI-VALLEY OFFICE  
1432 CONCANNON BLVD., BLDG. G  
LIVERMORE, CA 94550

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| EXAMINER |
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MYERS, PAUL R

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| ART UNIT | PAPER NUMBER |
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2111

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07/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/762,934 | <b>Applicant(s)</b><br>CHEN, BEN WEI |  |
|                              | <b>Examiner</b><br>Paul R. Myers     | <b>Art Unit</b><br>2111              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 25,26,28-37 and 39-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25,26,28-37 and 39-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 6/6/07 have been fully considered but they are not persuasive.

In regards to applicants argument that neither Kamper or Glen teaches or suggests "means for booting the processor of the computing device using commands transferred from the local control program to the computing device by way of the bus interface: This is clearly incorrect. Kamper expressly teaches "When power is supplied to the server, the server performs a boot-up sequence that includes uploading the configuration data from the removable storage device" (Abstract).

In regards to applicants argument that Kamper teaches away from the claimed invention: This is clearly incorrect. Kamper does not state that it would be undesirable to include control buttons on the removable storage device. Applicants argue that Kamper states the benefit of not having to enter commands by stating that "the user merely need couple the removable storage device reader to the server, insert the removable storage device and supply power to the server." This expressly teaches the user must "supply power to the server" meaning that the power control button must be pressed. Glenn teaches the remote device has a plurality of control buttons inclosing a power button for powering up the computer device. Also Kamper teaches automatic configuring. Kamper however does not state that also allowing manual configuring would be undesirable. It would have been obvious to a person of ordinary skill in the art at the time of the invention to also include manual configuring control because this would have allowed greater configuration control.

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In regards to applicants argument that Glenn's device is attached wirelessly as opposed to through a port. While a person of ordinary skill in the art recognizes that a wireless connection is a port to a computer, this is immaterial since Kamper expressly teaches the device attached through a port..

In regards to applicants argument that the wireless device of Glenn is not "detachably coupled": This is clearly incorrect. Wireless devices have a range. Outside that range they are detached. Inside that range they become re-attached. Kamper however expressly teaches the storage device is detachably coupled.

In regards to applicants argument that the wireless device of Glenn teaches away from the proposed combination because Kamper is not a wireless device. The examiner was not suggesting to convert Kamper into a wireless device only adding control buttons to the device of Kamper as taught by Glenn.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamper PN 6,654,797 in view of Glenn PN 5,406,261.

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In regards to claim 25: Kamper teaches A thin server assembly (104, 114, 116, or 118) for communicating with a network (102), the assembly comprising: a computing device including a processor (202 or 204), a network interface (220) coupled to the processor, and a bus interface (234) coupled to the processor; an electronic data flash device (320) detachably coupled to the bus interface (via port 312, 234), the electronic data flash device including a flash memory device (322); means for booting the processor of the computing device and for transferring server image information from the flash memory device to the computing device by way of the bus interface such that the processor of the computing device is configured to communicate with said network by way of the network interface (server) according to the transferred server image information (Abstract). Kamper teaches control buttons (Column 1 lines 41-51). Kamper however does not teach the add in device having control buttons or the server being a server on a board. Glenn teaches an external device (52) including control buttons (62, 64) for controlling the processor of the computing device in response to actuation of the one or more control buttons. That boots the computing device using commands transferred from the local control to the computing device via the pressing of the power button.. Glenn's device is attached wirelessly as opposed to through a port. Official notice is taken that server's on a board are well known in the art. Called blade servers. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include control buttons on the smart card of Kamper because this would have provided the controls conveniently to the operator who inserts the smart card. It would have been obvious to provide the server as a blade server because this would have provided for savings of space.

In regards to claim 26: Kamper teaches a bus interface logic (310).

In regards to claim 27: Both Kamper and Glenn teach means for booting up the computing device.

In regards to claim 28: Both Kamper and Glenn teach means for shutting down the computing device.

In regards to claims 29-30: Both Kamper and Glenn teach restoring the computer to a default state (Booted). Glenn does not teach holding the button for a predetermined period of time. Official notice is taken that button debounce (Holding a button a predetermined time period to prevent spurious activation) is very well known. It would have been obvious to include button debounce logic in the buttons of Glen because this would have prevented accidental powering/depowering due to spurious button signals.

4. Claims 31-32, 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamper PN 6,654,797 in view of Glenn PN 5,406,261 as applied to claim 25 above, and further in view of Shino PN 4,843,223.

In regards to claims 31, 35: Kamper teaches a display for displaying status information (Column 1 lines 41-51). Kamper however does not teach the display being on the add in device. Shino teaches a memory card including control buttons and a display. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a display on the add in card because this would have allowed the user to observe proper configuration of the server with out having to add an additional display on the server (Which is the motivation of Kamper).

In regards to claims 32, 36: Kamper teaches the display can be an LED display. Shinto teaches the display being an LCD display.

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In regards to claim 37: Kamper teaches a bus interface logic (310).

In regards to claim 38: Both Kamper and Glenn teach means for booting up the computing device.

5. Claims 33-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamper PN 6,654,797 in view of Glenn PN 5,406,261 as applied to claim 25 above, and further in view of Ban et al PN 6,148,354.

In regards to claims 33-34: Kamper teaches the flash device being a smart card. Kamper also states that “the present invention is not limited to the particular embodiments described herein. For example, other storage devices may be used instead of a smart card and smart card reader.” (Column7 lines 44-47) Ban expressly teaches another type of flash memory device being a USB device. Official notice is taken that there are other types of mflash memory cards such as Express PCI etc... It would have been obvious to a person of ordinary skill in the art at the time of the invention to use any of a USB flash memory or other flash memory device because this would have allowed for different types of control without departing from the spirit of Kamper’s invention.

6. Claims 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamper PN 6,654,797 in view of Glenn PN 5,406,261 and Shino PN 4,843,223 as applied to claim 35 above, and further in view of Ban et al PN 6,148,354.

In regards to claims 39: Kamper teaches the flash device being a smart card. Kamper also states that “the present invention is not limited to the particular embodiments described herein. For example, other storage devices may be used instead of a smart card and smart card reader.” (Column7 lines 44-47) Ban expressly teaches another type of flash memory device

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being a USB device. Official notice is taken that there are other types of mflash memory cards such as Express PCI etc... It would have been obvious to a person of ordinary skill in the art at the time of the invention to use any of a USB flash memory or other flash memory device because this would have allowed for different types of control without departing from the spirit of Kamper's invention.

In regards to claim 40: Both Kamper and Glenn teach means for shutting down the computing device.

In regards to claims 41, 42: Both Kamper and Glenn teach restoring the computer to a default state (Booted). Glenn does not teach holding the button for a predetermined period of time. Official notice is taken that button debounce (Holding a button a predetermined time period to prevent spurious activation) is very well known. It would have been obvious to include button debounce logic in the buttons of Glenn because this would have prevented accidental powering/depowering due to spurious button signals.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

PN 7,158,948 to Rodriguez et al teaches a smart card with control buttons and a display.

US 2005/0041385 to Kikinis et al teaches a different type of flash memory device with control buttons, including power and a LCD display.



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PN 5,838,982 to Cooper et al teaches a computer power switch including a debounce timer.

PN 6,792,515 to Smith and PN 6,950,895 to Bottom both teach blade servers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul R. Myers whose telephone number is 571 272 3639. The examiner can normally be reached on Mon-Thur 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



PRM  
June 25, 2007